



## LEOFF Plan 2

### Rules for State Elected Officials

The following rules apply to state elected officials who choose to be covered by LEOFF Plan 2 while in elected office. Additional rules governing all LEOFF Plan 2 members are summarized in the *LEOFF Plan 2 Member Handbook*.

#### **You are eligible to participate in LEOFF Plan 2 while in office if:**

- you have been elected or appointed to a statewide office (for example, Representative or Senator in the state legislature), and
- you are a LEOFF Plan 2 member when elected to office.

You are not required to belong to a retirement system while in office. You have the option of joining PERS Plan 2 or 3 rather than continuing your LEOFF 2 membership. See *PERS Plan 2 and PERS Plan 3 Rules for State Elected Officials*.

**If you are a former LEOFF Plan 2 member** at the time of your election you are not eligible to resume LEOFF Plan 2 membership. However, you may be eligible to become a PERS Plan 2 or 3 member. See *PERS Plan 2 and PERS Plan 3 Rules for State Elected Officials*.

#### **How do I continue LEOFF Plan 2 membership?**

If you choose to be covered by LEOFF Plan 2, you must notify the Department of Retirement Systems that you are taking a leave of absence for the express purpose of serving in elected office.

To remain a LEOFF Plan 2 member during subsequent terms of office, you must apply for membership at the beginning of each new term.

#### **Your membership decision is final:**

Once you have established retirement system membership, you must remain a member until you separate from all eligible public employment.

#### **How much service credit will I earn?**

The amount of your retirement benefit is determined in part by the amount of service credit you accumulate. As a state elected official, you:

- earn one month of service credit for each month during which you earn compensation in your elected position.
- can earn no more than one service credit month in any calendar month even if you are employed with another LEOFF-covered employer.

Service in any state elective position is considered full-time service. For each full year of elected service, you are eligible for one year of service credit.

#### **Can I receive credit for past elected service?**

You are not eligible to purchase credit for previous elected service. However, you can become a PERS member and recover previous credit.

#### **What will my retirement benefit be?**

As a Plan 2 member, you will receive a service retirement benefit based on the following formula:

$$\text{Months of service credit} \div 12 \times 2\% \times \text{Final Average Salary} = \text{Yearly benefit}$$

## **LEOFF Plan 2 Rules for State Elected Officials (continued)**

**Final Average Salary (FAS)** is the monthly average of your 60 consecutive highest-paid service credit months. Not included are payments for any type of severance pay, such as lump-sum payments for deferred sick leave, vacation or annual leave.

### **How much will I contribute to my retirement fund?**

Plan 2 contribution rates are variable and may be changed as necessary to reflect the cost of the plan.

### **As a legislator how do I calculate my basic salary?**

For any year in which you serve in the legislature, you have the option of choosing the greater of:

- the compensation you would have earned in your previous covered position if you had not served in the legislature, or
- the combined compensation you earned for your legislative service and your non-legislative public employment.

If you select the option that produces the higher basic salary, you must pay the employee and employer contributions based on that higher compensation.

### **What if I am a retired LEOFF Plan 2 member when elected?**

If you are a retired LEOFF Plan 2 member, you can receive your retirement benefit while serving as an elected official, unless you choose PERS membership. If you choose PERS membership, your retirement benefit will be suspended at the beginning of your term and reinstated upon termination of your employment as an elected official. You will receive payment, including any cost-of-living increases that apply, for the period of the suspension. At the time your benefit is reinstated, you will be notified of your options for the retroactive payment.

Please contact the Department of Retirement Systems (DRS) for more information.

### **How do I enroll?**

Contact DRS and provide the following information:

- Name
- Social Security number
- Address and phone number
- Position title and employer
- Beginning date of each term of elected service (to recover previous service you will need to provide both beginning and ending dates for each of your terms of service)

You may also request an estimate of the cost of purchasing credit for previous service.

Write DRS at:

Department of Retirement Systems  
PO Box 48380  
Olympia, WA 98504-8380

### **Questions?**

To discuss the application of these rules to your specific case, call DRS and ask to speak to the Legislative Liaison: toll free 1-800-547-6657 or in Olympia (360) 664-7000, 8 a.m. to 5 p.m., Monday through Friday, except legal holidays.

### **THIS PUBLICATION IS A SUMMARY**

This is not a complete description of the law. If there are conflicts between the information contained herein and retirement law, the applicable law will govern.

This publication is available in alternate formats. For information contact DRS.